

§ 745.2

§ 745.2 End-Use Certificate reporting requirements under the Chemical Weapons Convention.

NOTE: The End-Use Certificate requirement of this section does not relieve the exporter of any requirement to obtain a license from the Department of Commerce for the export of Schedule 2 or Schedule 3 chemicals subject to the Export Administration Regulations or from the Department of State for the export of Schedule 2 or Schedule 3 chemicals subject to the International Traffic in Arms Regulations.

(a)(1) No U.S. person, as defined in § 744.6(c) of the EAR, may export from the United States any Schedule 2 or Schedule 3 chemical identified in Supplement No. 1 to this part to countries not party to the Chemical Weapons Convention (destinations *not* listed in Supplement No. 2 to this part) unless the U.S. person obtains from the consignee an End-Use Certificate issued by the government of the importing destination. This Certificate must be issued by the foreign government's agency responsible for foreign affairs or any other agency or department designated by the importing government for this purpose. Supplement No. 3 to this part includes foreign authorized agencies responsible for issuing End-Use Certificates pursuant to this section. Additional foreign authorized agencies responsible for issuing End-Use Certificates will be included in Supplement No. 3 to this part when known. End-Use Certificates may be issued to cover aggregate quantities against which multiple shipments may be made to a single consignee. An End-Use Certificate covering multiple shipments may be used until the aggregate quantity is shipped. End-Use Certificates must be submitted separately from license applications.

(2) Submit a copy of the End-Use Certificate to the Department of Commerce by fax at (703) 235-1481 or to the following address no later than 7 days after the date of export, for mail and courier deliveries: Information Technology Team, Department of Commerce, Bureau of Export Administration, 1555 Wilson Boulevard, Suite 710, Arlington, VA 22209. Attn: CWC End-Use Certificate Report.

(b) The End-Use Certificate described in paragraph (a) of this section must state the following:

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(1) That the chemicals will be used only for purposes not prohibited under the Chemical Weapons Convention;

(2) That the chemicals will not be transferred to other end-user(s) or end-use(s);

(3) The types and quantities of chemicals;

(4) Their specific end-use(s); and

(5) The name(s) and complete address(es) of the end-user(s).

[64 FR 27143, May 18, 1999, as amended at 64 FR 49381, Sept. 13, 1999]

SUPPLEMENT NO. 1 TO PART 745— SCHEDULES OF CHEMICALS

	C.A.S. Registry No.
Schedule 1	
A. Toxic chemicals:	
(1) O-Alkyl ($\leq C_{10}$, incl. cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonofluoridates	
e.g. Sarin: O-Isopropyl methylphosphonofluoridate	107-44-8
Soman: O-Pinacolyl methylphosphonofluoridate	96-64-0
(2) O-Alkyl ($\leq C_{10}$, incl. cycloalkyl) N,N-dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidocyanidates	
e.g. Tabun: O-Ethyl N,N-dimethyl phosphoramidocyanidate	77-81-6
(3) O-Alkyl (H or $\leq C_{10}$, incl. cycloalkyl) S-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated or protonated salts	
e.g. VX: O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate	50782-69-9
(4) Sulfur mustards:	
2-Chloroethylchloromethylsulfide	2625-76-5
Mustard gas: Bis(2-chloroethyl)sulfide	505-60-2
Bis(2-chloroethylthio)methane	63869-13-6
Sesquimustard: 1,2-Bis(2-chloroethylthio)ethane	3563-36-8
1,3-Bis(2-chloroethylthio)-n-propane	63905-10-2
1,4-Bis(2-chloroethylthio)-n-butane	142868-93-7
1,5-Bis(2-chloroethylthio)-n-pentane	142868-94-8
Bis(2-chloroethylthiomethyl)ether	63918-90-1
O-Mustard: Bis(2-chloroethylthioethyl)ether	63918-89-8
(5) Lewisites:	
Lewisite 1: 2-Chlorovinylchloroarsine	541-25-3
Lewisite 2: Bis(2-chlorovinyl)chloroarsine	40334-69-8
Lewisite 3: Tris(2-chlorovinyl)arsine	40334-70-1
(6) Nitrogen mustards:	
HN1: Bis(2-chloroethyl)ethylamine	538-07-8
HN2: Bis(2-chloroethyl)methylamine	51-75-2

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	C.A.S. Registry No.		C.A.S. Registry No.
HN3: Tris(2-chloroethyl)amine	555-77-1	(1) Phosgene: Carbonyl dichloride	75-44-5
(7) Saxitoxin	35523-89-8	(2) Cyanogen chloride	506-77-4
(8) Ricin	9009-86-3	(3) Hydrogen cyanide	74-90-8
B. Precursors:		(4) Chloropicrin:	
(9) Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides		Trichloronitromethane	76-06-2
e.g. DF:		B. Precursors:	
Methylphosphonyldifluoride	676-99-3	(5) Phosphorus oxychloride	10025-87-3
(10) O-Alkyl (H or $\leq C_{10}$, incl. cycloalkyl) O-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n- Pr or i-Pr) phosphonites and cor- responding alkylated or protonated salts		(6) Phosphorus trichloride	7719-12-2
e.g. QL: O-Ethyl O-2- diisopropylaminoethyl methylphosphonite	57856-11-8	(7) Phosphorus pentachloride	10026-13-8
(11) Chlorosarin: O-Isopropyl methylphosphonochloridate	1445-76-7	(8) Trimethyl phosphite	121-45-9
(12) Chlorosoman: O-Pinacolyl methylphosphonochloridate	7040-57-5	(9) Triethyl phosphite	122-52-1
		(10) Dimethyl phosphite	868-85-9
		(11) Diethyl phosphite	762-04-9
		(12) Sulfur monochloride	10025-67-9
		(13) Sulfur dichloride	10545-99-0
		(14) Thionyl chloride	7719-09-7
		(15) Ethyldiethanolamine	139-87-7
		(16) Methyl-diethanolamine	105-59-9
		(17) Triethanolamine	102-71-6
Schedule 2		SUPPLEMENT NO. 2 TO PART 745—STATES PARTIES TO THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION, STOCKPILING, AND USE OF CHEMICAL WEAPONS AND ON THEIR DESTRUCTION	
A. Toxic chemicals:		LIST OF STATES PARTIES AS OF SEPTEMBER 13, 1999	
(1) Amiton: O,O-Diethyl S-[2- (diethylamino)ethyl] phosphorothiolate and cor- responding alkylated or protonated salts	78-53-5	Albania	
(2) PFIB: 1,1,3,3,3-Pentafluoro-2- (trifluoromethyl)-1-propene	382-21-8	Algeria	
(3) BZ: 3-Quinuclidinyl benzilate	6581-06-2	Argentina	
B. Precursors:		Armenia	
(4) Chemicals, except for those listed in Schedule 1, containing a phos- phorus atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms,		Australia	
e.g. Methylphosphonyl dichloride	676-97-1	Austria	
Dimethyl methylphosphonate	756-79-6	Bahrain	
Exemption: Fonofos: O-Ethyl S- phenyl ethylphosphono- thiolothionate	944-22-9	Bangladesh	
(5) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidic dihalides		Belarus	
(6) Dialkyl (Me, Et, n-Pr or i-Pr) N,N- dialkyl (Me, Et, n-Pr or i-Pr)- phosphoramidates		Belgium	
(7) Arsenic trichloride	7784-34-1	Benin	
(8) 2,2-Diphenyl-2-hydroxyacetic acid	76-93-7	Bolivia	
(9) Quinuclidine-3-ol	1619-34-7	Bosnia-Herzegovina	
(10) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethyl-2-chlorides and cor- responding protonated salts		Botswana	
(11) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-ols and cor- responding protonated salts		Brazil	
Exemptions: N,N- Dimethylaminoethanol and cor- responding protonated salts	108-01-0	Brunei Darussalam	
N,N-Diethylaminoethanol and corresponding protonated salts	100-37-8	Bulgaria	
(12) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-thiols and cor- responding protonated salts		Burkina Faso	
(13) Thiodiglycol: Bis(2-hydroxy- ethyl)sulfide	111-48-8	Burundi	
(14) Pinacolyl alcohol: 3,3- Dimethylbutane-2-ol	464-07-3	Cameroon	
		Canada	
		Chile	
		China*	
		Cook Islands	
		Costa Rica	
		Cote d'Ivoire (Ivory Coast)	
		Croatia	
		Cuba	
		Cyprus	
		Czech Republic	
		Denmark	
		Ecuador	
		El Salvador	
Schedule 3		*For CWC purposes only, China includes Hong Kong.	
A. Toxic chemicals:			

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Equatorial Guinea
Estonia
Ethiopia
Fiji
Finland
France
Gambia
Georgia
Germany
Ghana
Greece
Guinea
Guyana
Holy See
Hungary
Iceland
India
Indonesia
Iran
Ireland
Italy
Japan
Jordan
Kenya
Korea (Republic of)
Kuwait
Laos (P.D.R.)
Latvia
Lesotho
Lithuania
Luxembourg
Macedonia
Malawi
Maldives
Mali
Malta
Mauritius
Mauritania
Mexico
Micronesia
Moldova (Republic of)
Monaco
Mongolia
Morocco
Namibia
Nepal
Netherlands
New Zealand
Niger
Nigeria
Norway
Oman
Pakistan
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Poland
Portugal
Qatar
Romania
Russian Federation
Saint Lucia
Saudi Arabia
Senegal
Seychelles

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Singapore
Slovak Republic
Slovenia
South Africa
Spain
Sri Lanka
Sudan
Suriname
Swaziland
Sweden
Switzerland
Tajikistan
Tanzania
Togo
Trinidad and Tobago
Tunisia
Turkey
Turkmenistan
United Kingdom
Ukraine
United States
Uruguay
Uzbekistan
Venezuela
Vietnam
Zimbabwe

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SUPPLEMENT NO. 3 TO PART 745—FOREIGN AUTHORIZED AGENCIES RESPONSIBLE FOR ISSUING END-USE CERTIFICATES PURSUANT TO § 745.2

Israel
Chemical, Environment Technology Administration, Ministry of Industry & Trade, 30 Agron Street, Jerusalem 94190, Israel
Contact: Josef Dancona, Deputy Director, Telephone: 972–2–6220193, Fax: 972–2–6241987

Taiwan¹
Board of Foreign Trade, Ministry of Economic Affairs, 1 Hukou St., Taipei, Tel: (02) 2351–0271, Fax: (02) 2351–3603
Export Processing Zone Administration, Ministry of Economic Affairs, 600 Chiachang Rd., Nantze, Kaohsiung, Tel: (07) 361–1212, Fax: (07) 361–4348

Science-Based Industrial Park Administration, National Science Council, Executive Yuan, 2 Hsin-an Rd., Hsinchu, Tel: (03) 577–3311, Fax: (03) 577–6222

[64 FR 27143, May 18, 1999, as amended at 64 FR 43982, Sept. 13, 1999]

¹Two of the three offices (Export Processing Zone Administration and the Science-Based Industrial Park Administration) are in special economic zones and are responsible for the activity in their respective zones.